

# **EXHIBIT E**

**Makitalo, Rebecca I.**

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**From:** Makitalo, Rebecca I.  
**Sent:** Thursday, August 14, 2025 11:07 PM  
**To:** Arjun Vasan  
**Cc:** Keech, Ryan Q.; Chiu, Stacey G.  
**Subject:** Re: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT [KLG-AMERICAS.FID3718879]

Ok to proceed with filing.

Thank you,

**Rebecca Makitalo**

Associate  
K&L Gates LLP  
10100 Santa Monica Blvd  
8th Floor  
Los Angeles, CA 90067  
Phone: 310 552-5502  
Cell: 818 251-6956  
[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)  
[www.klgates.com](http://www.klgates.com)

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**From:** Arjun Vasan <arjun.vasan@gmail.com>  
**Sent:** Thursday, August 14, 2025 10:57 PM  
**To:** Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>  
**Cc:** Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>  
**Subject:** Re: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT [KLG-AMERICAS.FID3718879]

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**This Message Is From an External Sender**

This message came from outside your organization.

Attached.

On Thu, Aug 14, 2025 at 10:42 PM Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)> wrote:  
Understood. Please send final copies of all documents prior to filing.

Thank you,

**Rebecca Makitalo**

Associate  
K&L Gates LLP  
10100 Santa Monica Blvd  
8th Floor  
Los Angeles, CA 90067  
Phone: 310 552-5502

Cell: 818 251-6956

[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)

[www.klgates.com](http://www.klgates.com)

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**From:** Arjun Vasan <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)>

**Sent:** Thursday, August 14, 2025 10:39:06 PM

**To:** Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>

**Cc:** Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>

**Subject:** Re: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT [KLG-AMERICAS.FID3718879]

The magistrate judge option is in the common section. I will attach exhibit A and exhibit B. The only differences will be

1. Bench trial (and earlier date, particularly if bifurcated, which I am certainly going to move for)
2. Magistrate judge (and earlier date).

Best

On Thu, Aug 14, 2025 at 10:33 PM Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)> wrote:  
You may state your positions in your respective section.

Thank you,

**Rebecca Makitalo**

Associate

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10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)

[www.klgates.com](http://www.klgates.com)

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**From:** Arjun Vasan <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)>

**Sent:** Thursday, August 14, 2025 10:31:21 PM

**To:** Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>

**Cc:** Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>

**Subject:** Re: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT [KLG-AMERICAS.FID3718879]

No, I consent to a Jury trial, as I have stated earlier. I also do not consent to private mediation, I will choose Magistrate Judge. Do you intend to oppose it?

Other than that, the dates seem to correspond with the suggested dates.

Best

On Thu, Aug 14, 2025 at 10:10 PM Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)> wrote:

Yes, approved. I also note, pursuant to L.R. 5-4.3.4, as the filer, it is you that must provide a Certificate of Attestation. Further, I also write to confirm you will be filing Exhibit A attached indicating your agreement of Checkmate's proposed pre-trial and trial dates, since you have not sent any suggested revisions or indicated as such in the report.

Thank you,

**Rebecca Makitalo**

Associate

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Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)

[www.klgates.com](http://www.klgates.com)

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**From:** Arjun Vasan <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)>

**Sent:** Thursday, August 14, 2025 9:54 PM

**To:** Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>

**Cc:** Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>

**Subject:** Re: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT

Please confirm, in writing by 10:00pm. I notice you did not include the certificate of attestation. If you later protest this was not attested to, I will include this email thread in any response.

I will be filing the existing report (attached earlier) at 10pm.

Best,

Arjun Vasani

On Thu, Aug 14, 2025 at 9:49 PM Arjun Vasani <[arjun.vasani@gmail.com](mailto:arjun.vasani@gmail.com)> wrote:

Confirmed?

On Thu, Aug 14, 2025 at 9:45 PM Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)> wrote:

Mr. Vasani,

The date next to my signature block indicates August 15, 2025. If you please revise to today's date.

Thank you,

**Rebecca Makitalo**

Associate

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10100 Santa Monica Blvd

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Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)

[www.klgates.com](http://www.klgates.com)

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**From:** Arjun Vasan <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)>

**Sent:** Thursday, August 14, 2025 9:22 PM

**To:** Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>

**Cc:** Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>

**Subject:** Re: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT

Counsel,

You refuse to stipulate to a short stay of a family nonparty deposition pending the Rule 16 phasing order. That is disproportionate and premature given party sources (Agarwal, Bell, Myself, Rule 30(b)(6)) are available. See Rules 26(b)(1), 26(b)(2)(C), and 45(d)(1) (avoid undue nonparty burden; use less burdensome sources first).

Pursuant to C.D. Cal. Local Rule 37-1, this is my formal request to proceed by joint stipulation on a Rule 26(c) protective order staying family/investor/competitor non party depositions until after the Scheduling Conference. Please send your portion of the LR 37-2 joint stipulation within 5 days. If you decline or fail to provide your portion, I will file under LR 37-2.4 with a declaration noting your noncooperation and seek fees.

Separately, if you contend valid service occurred, confirm when/how and whether the \$40/day witness fee and mileage were tendered at service for any attendance demand. If the fee was not tendered, service is defective. See Rule 45(b)(1) and 28 U.S.C. § 1821. I also request a reasonable date to allow [Father's Name] to retain counsel.

Best,

Arjun (pro se)

On Thu, Aug 14, 2025 at 9:16 PM Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)> wrote:

As you know, Checkmate does not agree to phasing discovery and will not stipulate to a stay of discovery until the Scheduling Conference. Additionally, we have no further edits to the joint report. Please finalize and send for our final review and approval to file.

Thank you,

Rebecca Makitalo

Associate

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10100 Santa Monica Blvd

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Cell: 818 251-6956

[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)

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**From:** Arjun Vasan <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)>

**Sent:** Thursday, August 14, 2025 9:06 PM

**To:** Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>

**Cc:** Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>

**Subject:** Re: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT [KLG-AMERICAS.FID3718879]

Counsel,

Withdraw or hold in abeyance the subpoena to Vasan Varadarajan until the Rule 16 Scheduling Conference sets phasing. He is a nonparty family member with, at most, limited Phase-1 relevance. Under Rules 26(b)(1), 26(b)(2)(C), and 45(d)(1), you must avoid undue nonparty burden and use less burdensome party sources (Agarwal, Bell, Myself, Rule 30(b)(6)) first. He has already submitted a declaration; a broad deposition now is cumulative and harassing and premature given the pending phasing dispute.

If you will not stipulate to a hold through the Scheduling Conference, I will move for a protective order and seek fees.

Please see the latest modifications to Plaintiff's sections. Please send as soon as possible with confirmation of no further edits from Checkmate's end.

Best,

Arjun

On Thu, Aug 14, 2025 at 8:51 PM Arjun Vasani <[arjun.vasani@gmail.com](mailto:arjun.vasani@gmail.com)> wrote:

I mean, once you confirm, and update your signature block.

Best

On Thu, Aug 14, 2025 at 8:50 PM Arjun Vasani <[arjun.vasani@gmail.com](mailto:arjun.vasani@gmail.com)> wrote:

Thank you, please see attached. If this looks good, I will file it upon my return before midnight.

Best regards,

Arjun Vasani

On Thu, Aug 14, 2025 at 8:34 PM Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)> wrote:

Mr. Vasani,

Please find attached a revised draft of the Joint Rule 26(f) Report. If you have any further revisions, please send in redline for our review. Otherwise, please finalize and send back the final version in PDF for our approval to file.

Thank you,

**Rebecca Makitalo**

Associate

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8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502



Cell: 818 251-6956

[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)

[www.klgates.com](http://www.klgates.com)

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**From:** Makitalo, Rebecca I.

**Sent:** Thursday, August 14, 2025 7:18 PM

**To:** Arjun Vasani <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)>

**Cc:** Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>

**Subject:** RE: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT

I will aim to have a draft back to you before 9pm.

Thank you,

**Rebecca Makitalo**

Associate

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10100 Santa Monica Blvd

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Phone: 310 552-5502

Cell: 818 251-6956

[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)

[www.klgates.com](http://www.klgates.com)

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**From:** Arjun Vasani <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)>

**Sent:** Thursday, August 14, 2025 7:13 PM

**To:** Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>

**Cc:** Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>

**Subject:** Re: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT

Can you please provide an estimated time, as the report is due tonight.

Best regards,

Arjun Vasani

On Thu, Aug 14, 2025 at 7:11 PM Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)> wrote:

As I have already stated, I will do my best to return the draft as soon as possible. However, your expectation for a one-hour turnaround will unlikely be met. I appreciate your understanding.

Thank you,

**Rebecca Makitalo**

Associate

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10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)

[www.klgates.com](http://www.klgates.com)

**From:** Arjun Vasani <[arjun.vasani@gmail.com](mailto:arjun.vasani@gmail.com)>  
**Sent:** Thursday, August 14, 2025 6:39 PM  
**To:** Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>  
**Cc:** Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>  
**Subject:** Re: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT

For clarity, I meant 7:30pm in all places (6:30 was from an earlier draft). Please return by that time, because I am going out then.

Best,

Arjun Vasani

On Thu, Aug 14, 2025 at 6:34 PM Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)> wrote:

Received, thank you. I will do my best to return edits to you as soon as possible.

**Rebecca Makitalo**

Associate

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10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

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[www.klgates.com](http://www.klgates.com)

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**From:** Arjun Vasani <[arjun.vasani@gmail.com](mailto:arjun.vasani@gmail.com)>  
**Sent:** Thursday, August 14, 2025 6:24 PM

**To:** Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>; Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>

**Subject:** Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT

Counsel,

Attached is the Word (.docx) combined draft with your sections inserted verbatim and labeled Defendant's Position. The document is set to Track Changes. Please return a redline by 6:30 pm PT.

- Do not edit text labeled "Plaintiff's Position." If you disagree, edit your "Defendant's Position."
- Only mark "Joint" where we both confirm agreement in writing.
- If no redline arrives by 7:30 pm PT, I will file my PDF with Exhibit A (your PDF), the relevant email threads and note that you elected not to provide edits in time.

For clarity: I did not agree to waive phasing, to adopt TIFF/.dat/.lfp defaults, to a clawback that revives pre-suit waivers, or to declare the MCL "unnecessary." The report will reflect split positions on those points.

Best,

Arjun

This electronic message contains information from the law firm of K&L Gates LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at [Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com).